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5-5-2010

# CWU Faculty Senate Minutes - 05/05/10

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**CENTRAL WASHINGTON UNIVERSITY**  
**FACULTY SENATE**

**REGULAR MEETING**  
**Wednesday, May 5, 2010, 3:10 p.m.**  
**BARGE 412**  
**Minutes**

**Senators:** All senators or their alternates were present except: Sara Britto, Jason Burroughs, Jonathan Fassett, Lila Harper, Susan Kaspari, Mark Lane, Nadine Pederson, Andy Piacsek, Robert Pritchett, Stephen Robison, Paul Sellars, Andrea Sledge, Steve Wagner and Ryan Zayac

**Visitors:** Sheryl Grunde, Teresa Sloan and Jack Baker

**CHANGES TO AND APPROVAL OF AGENDA** – Agenda was approved

**MOTION NO. 09-37(Approved): APPROVAL OF MINUTES** of April 14, 2010

**COMMUNICATIONS** - None

**FACULTY ISSUES:** Senator Erdman expressed a concern with classroom equipment being upgraded or changed during the quarter without any notification to faculty who use the classrooms. She suggested that a notice be put in those classrooms of the changes to equipment and any new instructions for their use. Jan Bowers gave an update on the Center for Teacher/Scholar and indicated several workshops coming up.

**PRESIDENT:** Out of town

**PROVOST:** Provost reported that the administration met over the weekend to work on budget cut decisions. As the President reported on Monday, there will be approximately 10-15 classified/exempt employees layoff and 175 with reduced hours. Faculty will not be experiencing the same type of cuts that other divisions are to be able to offer the curriculum. Two years ago the efficiency rate for faculty was 16 FTE per faculty member. This past year the efficiency rate has increased to 18 FTE per faculty member. The last several years the university has increased tenure track positions and as a consequence has decreased NTT positions. While this is a very positive outcome for faculty, the layoffs and reduction of hours will have an impact on the university.

**OLD BUSINESS** - None

**REPORTS/ACTION ITEMS**

**SENATE COMMITTEES:**

**Executive Committee:**

**Motion No. 09-38(Approved):** "Appointment of Gary Bartlett, Philosophy & Religious Studies, to the Bylaw and Academic Code Committee with a term end date of 6/14/2012."

**Academic Affairs Committee:**

**Motion No. 09-39(Approved):** "Recommends that section CWUP 5-90-040(11) Second Baccalaureate Degree of the Academic Affairs policy manual be amended as outlined in Exhibit A."

**Motion No. 09-40(Returned to committee):** "Recommends that section CWUP 5-90-010(3) Academic Appeal Procedures of the Academic Affairs policy manual be amended as outlined in Exhibit B."

**Motion 09-40a (Approved, 1 abstention):** Senator Čuljak moved to send this language back to

the committee for clarification. Senator Bartlett seconded and motion was approved.

**Bylaw and Academic Code Committee:**

**Motion No. 09-26(Approved):** “Recommends the changes to Section I Faculty Rights in the Academic Code as outlined in Exhibit C.”

**Motion No. 09-27: (Approved as amended, 1 nay):** “Recommends the addition of Section III Distinguished Faculty Awards and Appendix B as outlined in Exhibit D.”

Senator Kovalerchuk provided the Faculty Senate office with some proposed changes to the Distinguished Faculty Awards. Chair Cutsinger indicated that the Faculty Senate Executive Committee will review this proposal and forward it on to the Bylaws and Academic Code committee. The proposed changes are substantial changes and will require speaking with the President and Provost regarding these changes.

**Proposed Motion No. 09-27a Harper moved.** Erdman seconded. (Amendment proposed by Senators Ruthi Erdman & Lila Harper): “To amend Motion No. 09-27 as outlined in Exhibit E.”

**Motion 09-41 (Approved):** Senator Ogden moved to separate Motion 09-27a into two parts. Motion was seconded by Chair-Elect Bransdorfer.

**Motion No. 09-42 (Approved):** Senator Bartlett moved to revise Section III, B, 3. to read: “Continued engagement with the scholarly profession and integration of scholarship – with one’s own or that of others – into coursework. Senator Erdman seconded the motion.

**Motion No. 09-43 (Approved):** Chair-Elect Bransdorfer moved to revise Section VI.B.4,E.1 to read: incorporation of one’s own or others’ research in curriculum development”

**Curriculum Committee:** No report

**Evaluation and Assessment/SEOI Task Force:** Senator Snedeker reported that the Evaluation and Assessment committee met last Friday. Their primary items of business were the Faculty Senate assessment and the Faculty Senate Executive Committee assessment instruments. The committee revised the forms in response to the input and comments from the assessments last year. The revised documents will go to the Executive Committee on May 12<sup>th</sup> for them to review. The Faculty Senate assessment will go online once it is approved and will leave it open for approximately one month. The committee is making the recommendation that the summaries and comments for the Senate assessment be sent out to all faculty and the Executive Committee assessment summary and comments will be sent out to faculty senators and alternates. They are also recommending that the Executive Committee submit a response along with these results. If there are written comments that are deemed to be uncivil or personal attacks they will be removed before the information is distributed.

**SEOI Task Force** – Senator Snedeker reported that the committee is on the verge of trying to move forward. Senators received copies of a report the committee did in May 2009, as well as a follow-up report by Tom Henderson this fall. Also included was an example of the pilot SEOI that was used this fall. If a senator has feedback on the form, please send those to Jeff. Senator Snedeker will be presenting this information to ADCO on Monday, the University Academic Assessment committee on Tuesday and the Executive Committee will review it on Wednesday. The next step is to collect input from the faculty. There will be a two week window for faculty input and hope to have the instrument on the June Faculty Senate agenda for endorsement. The committee is planning on having the form available next fall.

**General Education:** No report

**Faculty Legislative Representative:** No report

**Ad Hoc Budget Committee:** No report

**CHAIR:** Chair Cutsinger reported that the Shared Governance Task Force has met three times so far. Chair Cutsinger read part of the charge letter from the President to the committee. This process has opened up a lot of brainstorming, looking at the Senate and University committee structure and looking at possible Academic Code changes. General Education hybrid committee met after receiving the input from departments. There are some gaps in the outcomes that will be going back to the General Education committee to be included. In June there will be a report from the General Education committee that will propose a full framework for endorsement.

**CHAIR-ELECT:** No report

**STUDENT REPORT:** Megan Hammond reported that things are wrapping up. Elections are coming up. Every position has one or two people, so there is no need for primary. Academic Senate funds will all be allocated for this year at this meeting or the meeting in June.

**NEW BUSINESS** – Ogden asked that the proposed amendments to the Academic Code be referred to the Bylaws and Academic Code committee for consideration.

Meeting was adjourned at 4:49 p.m.

## Exhibit A

5-90-040 (11)

### Second Baccalaureate Degree

- (A) Qualified students seeking second baccalaureate degrees are admitted to graduate status; this does not mean, however, that they are enrolled in an "advanced degree program."
- (B) To receive a second baccalaureate degree, students must complete:
  - 1. all degree requirements not satisfied by the previous degree, and
  - 2. a minimum of 45 quarter credits from Central.
- (C) Second baccalaureate students must be accepted into a degree or certificate program by the time they have earned 25 credits beyond their last degree. Once a degree objective has been declared, second baccalaureate students must develop graduation plans with academic advisors. Academic department chairs may grant extensions beyond the 25-credit limit.
- (D) Second baccalaureate degree students follow regulations applicable to undergraduates.
- (E) Second baccalaureate degree students may request from the department that any requirement of a minor be satisfied by the initial bachelor's degree earned provided that the requirements of the minor were completed in prior course work.

### Rationale:

Students who have a baccalaureate degree and are pursuing a second major that requires a minor as part of the degree are requesting the minor be waived; however, most of these students already have the equivalent of at least a minor prior to being admitted to the second major/degree program.

# Exhibit B

## CWUP 5-90-010-03 Academic Appeal Procedures

### Policy

Students are responsible for achieving and maintaining the standards of academic performance and excellence which are established by their instructors and for complying with all relevant policies, standards, rules, and requirements which are formulated by the university and the university's academic units. At the same time, students **may seek the redress of** ~~have protection, through orderly procedures, against~~ arbitrary, or capricious actions or decisions by academic offices. No individual student shall be penalized or retaliated against in any way by the university community for his or her participation in this ~~complaint~~ **redress** procedure.

### Purpose

The purpose of the Board of Academic Appeals (**Board**) and Academic Standing Committee (**ASC**) is to **provide for fair and impartial hearings of academic grievances.** ~~The purpose of the board of academic appeals and academic standing is to provide for fair and impartial hearings of academic grievances.~~ The Board serves as the final hearing body for the university in the matter of academic grievances. **The Board may direct the university to change an academic decision affecting the student and specify the content of that change. The decision of the Board of Academic Appeals and Academic Standards Committee is final.**

### Academic Grievances

(A) Academic grievances are defined as the following:

1. A claim by the student that an assigned grade is the result of arbitrary, or capricious application of otherwise valid standards of academic evaluation; or
2. A claim by the student that the standards for evaluation are arbitrary, or capricious; or
3. A claim by the student that the instructor has taken an arbitrary, or capricious action which adversely affects the student's academic progress; or
4. A claim by the student that a university department, program, or office has made a decision not in keeping with university policy or taken an arbitrary, capricious, or discriminatory action which adversely affects the student's academic progress.

(B) A student wishing to pursue an academic grievance must ~~take the following steps to try to resolve the grievance prior to the filing of an official academic appeal~~ **use the procedures outlined in this document once having received notice of an action or decision which gives rise to a grievance. The emphasis of the procedure is on informal resolution of the grievance.**

- ~~1. The student shall first attempt to resolve the matter with the instructor.~~
- ~~2. If resolution is not achieved between the student and instructor, the student shall ask the department chair to resolve the grievance.~~
- ~~3. If resolution is not achieved at the department chair level, the chair shall forward a written summary to the dean of the college in a further effort to achieve resolution.~~
- ~~4. If resolution is not achieved at the dean's level, the student may petition for a hearing before the board of academic appeals and academic standing. (An appointment should be made to meet with the associate or assistant vice president for student affairs and enrollment management to obtain the necessary forms and information relative to filing the position.~~

~~(C) Rules Governing the Board of Academic Appeals and Academic Standing for Central Washington University~~

- ~~1. Policy – Students are responsible for achieving and maintaining the standards of academic performance and~~

excellence which are established by their instructors and for complying with all relevant policies, standards, rules, and requirements which are formulated by the university and the university's academic units. At the same time, students have protection, through orderly procedures, against arbitrary or capricious actions or decisions by academic offices. No individual shall be penalized or retaliated against in any way by the university community for his or her participation in this complaint procedure.

~~2. Purpose of the Board of Academic Appeals (and Academic Standing) — The purpose of the board of academic appeals and academic standing is to provide for fair and impartial hearings of academic grievances. The board serves as the final hearing body for the university in the matter of academic grievances.~~

~~3. Academic Grievance — Academic grievances are defined as the following:~~

- ~~a. A claim by the student that an assigned grade is the result of arbitrary and capricious application of otherwise valid standards of academic evaluation; or~~
- ~~b. A claim by the student that the standards for evaluation are arbitrary or capricious; or~~
- ~~c. A claim by the student that the instructor has taken an arbitrary or capricious action which adversely affects the student's academic progress; or~~
- ~~d. A claim by the student that a university department, program, or office has made a decision not in keeping with university policy or taken an arbitrary, capricious, or discriminatory action which adversely affects the student's academic progress.~~

~~A student wishing to pursue an academic grievance must use the procedure outlined in this document once having received notice of an action or decision which gives rise to a grievance. The emphasis of the procedure is on informal resolution of the grievance. Grievances which call for a hearing before the board of academic appeals and academic standing should be rare.~~

4. Time Limit on Filing Complaint

a. The students must ask for a hearing of the grievance before the board of academic appeals and academic standing within one academic quarter after determination of the grade of the course in question, or within one quarter after completion of the incomplete work, or in cases involving administrative actions after the fact, such as removal of incompletes, etc., one academic quarter after the administrative deadline for completion of such actions (in the case of spring quarter, by the end of the following fall quarter). The board may suspend this rule in exceptional circumstances, such as, but not limited to, extended illness, sabbatical leave, etc., of one or both parties to the grievance.

b. When either any party to the grievance is no longer in residence at the university and does not expect to return, the board will provide reasonable opportunity to complete appeal procedures or reply to the charges before making a decision. **chooses to not attend the scheduled hearing, the Board will conduct the hearing with the resources available to it and render a decision resolving the grievance.**

5. Procedures Preliminary to Petitioning the Board of Academic Appeals (and Academic Standing) for a Hearing (PAC approved 6/26/03)

a. **The student will notify the Vice President for Student Affairs or his/her designee of their intention to petition the Board for an academic hearing. The student will be directed to meet with a faculty advisor appointed by the Vice President of Student Affairs or his/her designee within 10 working days.**

~~b. A~~ **The** student with a grievance shall first attempt to resolve the matter **grievance** with the instructor. **Within fifteen (15) working days of the contact by the student,** the instructor and the student shall make a good faith effort to resolve the grievance. Should the instructor be on extended leave or no longer employed by the university, the department chair (or **administrative** superior administrator in cases not involving academic departments) shall act for the instructor. The board may suspend this rule in the case of exceptional circumstances, e.g., extended illness, sabbatical leaves, etc., of one or both parties to the grievance.

c. If resolution is not achieved between the student and instructor, the student ~~may~~ **must** ask the department

chair or administrative superior to resolve the grievance. Within ~~ten (10)~~ **fifteen (15)** working days of the contact by the student, the department chair or administrative superior shall meet with both parties to clarify the grievance and attempt to resolve it. **If the grievance is not resolved to the satisfaction of both parties, the department chair or administrative superior shall forward a written statement of his or her reasoning in the matter to the dean of the college and to the student within ten (10) working days of that attempted resolution.**

d. If a resolution is not achieved at the department chair level, the student ~~may~~ **must** present the grievance to the dean of the college or administrative supervisor, if the student wishes to continue the grievance process.

1. Within ~~ten (10)~~ **fifteen (15)** working days of contact by the student, the dean or administrative supervisor shall ~~hear the grievance~~ **investigate the grievance** and attempt to effect a mutually agreeable solution between instructor, or designee, and student. If such a solution cannot be reached, the dean shall weigh the facts and any evidence or testimony. The dean may request ~~or solicit~~ and make a recommendation **which states his/her reasoning in the matter** in writing to the student and instructor, or designee, within ~~five (5)~~ **ten (10)** working days of having concluded the hearing. **Within ten (10) working days,** both instructor, ~~or designee,~~ and student must, ~~in writing,~~ notify the dean of the college or administrative supervisor in writing of their acceptance or non-acceptance of the dean's recommendation ~~within five (5) working days of receipt of the dean's recommendation.~~

2. If the dean's recommendation is not acceptable to both the student **and the instructor**, the student may petition for a hearing of the grievance before the board of academic appeals ~~and academic standing~~. The **student's** petition must be filed with the vice president for student affairs ~~and enrollment management~~ within ten (10) working days of receipt of the recommendation of the dean or administrative supervisor.

6. Procedures for Petitioning the Board of Academic Appeals ~~(and Academic Standing)~~ for a Hearing (PAC approved 6/26/03)

a. A grievance before the board is heard as if the matter has not been heard previously.

b. A student may withdraw the petition for a hearing at any time by notifying the board in writing **through the office of the vice president for student affairs.**

c. The parties to the grievance will be provided with a statement of the rules **governing the** of the board **of academic appeals** by the vice president for student affairs ~~and enrollment management~~.

d. The **office of the** vice president for student affairs ~~and enrollment management~~ will provide the student with appropriate forms for filing a complaint, assign an advisor to the student, and accept the completed forms from the student after the student has consulted with the advisor. ~~Since forms must be notarized, a list of notaries can be made available.~~

e. Within ~~five (5)~~ **ten (10)** working days of the filing of the complaint by the student's petition **(after the student's non-acceptance of the dean's recommendation), the office of the vice president for student affairs will** ~~the board chair will~~ provide the instructor with a copy of forms and materials prepared by the students and the name of an advisor **for the instructor.**

f. **Within fifteen (15) working days of their receiving the complaint,** the person against whom the complaint has been lodged must ~~acknowledge, in writing, receipt of the complaint and within ten (10) working days, file with the board chair a reply to the complaint.~~ **file a written response to the complaint with the board chair and the student through the office of the vice president for student affairs.**

g. When steps C **through** F above have been completed, ~~the board chair~~ **the office of the vice president for student affairs** shall arrange for a hearing panel, ~~place the case on the board calendar,~~ and notify the parties involved of the time and place for the hearing.

h. Other interested persons may, upon request of one of the parties to the grievance or upon the request of the hearing panel, submit in writing any observations or relevant information **to the instructor, student and hearing panel.**

h. When steps C-F above have been completed, the board chair shall arrange for a hearing panel, place the case on the board calendar, and notify the parties involved of the time and place for the hearing.



i. If, without prior notice, either party to the grievance does not appear at the scheduled hearing and does not present evidence that uncontrollable circumstances have prevented an appearance, it will be assumed that the party has nothing to add to the evidence already made available to the board.

## 7. Board Proceedings

a. The hearing is shall be closed to all but the members of the hearing panel, the student, the instructor, the student's advisor, the instructor's advisor, witnesses and a representative from the office of the vice president for student affairs. and the participants and their advisors in the hearing.

b. All records of the hearing proceedings will be maintained.

~~The records shall include:~~

- ~~1. all documents, motions, and intermediate rulings;~~
- ~~2. evidence received or considered;~~
- ~~3. a statement of matters officially noticed;~~
- ~~4. questions and offers of proof, objections, and rulings thereon;~~
- ~~5. proposed findings and exceptions; and~~
- ~~6. any decisions, opinion, or report by the board chair.~~

The record will be retained for a period of three years, ~~and~~ The material will be regarded as confidential. Oral proceedings will be recorded on audiotape. Copies of the record or any part thereof will be made available to the parties to the grievance by the records request process through the Business Services and Contracts office. The cost will be borne by the party making the request.

c. The board may:

1. administer oaths and affirmations, examine witnesses, and receive evidence;
2. ~~take or cause depositions to be taken;~~ require witnesses to appear upon the request of any party to the grievance or upon its own motion;
3. take or cause depositions to be taken;
4. regulate the course of the hearing;
5. hold conferences for the settlement or simplification of the issues with the consent of the parties;
6. dispose of procedural requests or similar matters;
7. make decisions or proposals for decisions; and
8. take any other action authorized by this policy.

~~d. The board may require witnesses to appear upon request of any party to the grievance or upon its own motion.~~

d. All testimony will be sworn.

e. Both parties to the grievance will have access to the written statements of the other, ~~prior the hearing or prior to any questioning by members of the board at the time of the hearing.~~ ten (10) working days prior to the hearing.

f. Both parties to the grievance have the right to advice from a third party of his or her choosing during the hearing of the grievance. Either party may ask for a recess.

g. Both parties to the grievance have the right to question the other party as well as any witness involved in the hearing. ~~The board chair will rule on such matters.~~

~~h. Both parties to the grievance have the right to advice from a third party of his or her choosing during the hearing of the grievance.~~

h. Members of the hearing panel may question both parties and witnesses. Questions must be germane to the issues of the grievance. The board chair will rule on such matters.

i. The hearing will be held in a physical space that is isolated acoustically from its surroundings and large enough to comfortably accommodate all participants to the hearing. The student and instructor shall be seated across from the hearing panel and separated by the advisors and representative of the

office of the vice president for student affairs. The student and the instructor shall not face each other.

j. The vice president for student affairs, or his/her designee, shall facilitate the hearing, take responsibility for electronically recording the hearing, and oversee the various stipulations contained in this document.

#### 8. Decision of the Board

- a. Decisions of the board are based on a majority vote of the hearing panel appointed for the hearing, and shall be based exclusively on the evidence and on matters officially noted.
- b. The decision and reasons for the decision will be reported in writing to both parties involved in the matter, to the officials who reviewed the appeal, and to appropriate authorities mentioned in the disposition of the decision. Minority opinions may be included in the report.
- c. Parties to the grievance will be notified in writing of the decision of the board no later than ~~one week~~ **five (5) working days** after conclusion of the hearing.

#### 9. Power of the Board of Academic Appeals ~~and Academic Standing~~

- a. The board may reject the grievance after due consideration.
- b. In cases involving grade changes or change in class status, the board may order a grade changed or a change in class status.
- c. In cases or aspects of cases determined by the board to involve procedural problems, the board may make recommendations for adjustments to any of the parties to the grievance and/or to the appropriate authority.
- d. In cases involving conduct, the board may take one or more of the following actions depending on the seriousness of the case as determined by the board:
  1. The board may issue a ~~restraining order~~ **no contact or no trespass order** to prevent continued or subsequent actions with respect to the specific situation in question.
  2. The board may reprimand one or more of the parties to the grievance and/or lodge the reprimand with the appropriate authority.
  3. The board may submit to the ~~authority governing the activities involved in the grievance a recommendation or request~~ **proper authority a recommendation** for disciplinary action for any party to the grievance in accordance with provisions of the ~~faculty code and/or code of student rights and responsibilities~~. **Central Washington University and United Faculty of Central Washington University Collective Bargaining Agreement and/or the Student Conduct Code (Chapter 106-120 WAC).**

#### 10. Procedures for Implementing Grade Changes and Withholding Suspension

- a. ~~In cases If the board decides~~ **If the board decides** a grade should be changed, ~~the board chair~~ **the vice president for student affairs, or his/her designee,** will send to the registrar a copy of the decision authorizing and directing that the grade on the student's official record be changed. The student, the instructor, and the ~~board chair~~ **vice president for student affairs, or his/her designee,** will be notified by the registrar when the change has been accomplished.
- b. If the grade in question has resulted in the suspension of the student the ~~board chair~~ **vice president for student affairs, or his/her designee,** will notify the ~~board of academic appeals and academic standing~~ **registrar** to withhold suspension pending outcome of the hearing. If the board finds in favor of the student such that suspension is no longer a consideration, the ~~board chair~~ **vice president for student affairs, or his/her designee,** will notify the ~~board of academic appeals and academic standing~~ **registrar** in writing of the decision and the suspension will be withdrawn. If the board finds against the student, the ~~board chair~~ **vice president for student affairs, or his/her designee,** will notify the ~~board of academic appeals and academic standing~~ **registrar** accordingly in writing, and the student will be withdrawn from the university or be subject to such action as the ~~committee~~ **board** deems appropriate, and the student's fee will be returned according to university fee return policy.

#### 11. Membership of the Board of Academic Appeals ~~and Academic Standing~~

- a. The board shall be made up of fifteen **(15)** members, seven **(7)** ~~of whom shall be~~ faculty and eight **(8)** ~~of~~

~~whom shall be students.~~

b. Faculty members of the board will be chosen by the faculty senate from among faculty who are not members of the university's administration. **The definition of "faculty member" will be that which is used in the Central Washington University and United Faculty of Central Washington University Collective Bargaining Agreement.**

c. Student members of the board will be chosen by the associated students of ~~CWU~~ **Central Washington University Board of Directors** (ASCWU **BOD**) from students who are not members of the ASCWU **BOD** ~~board of directors~~. The definition of "student" will be ~~that~~ used in determining membership in the associated students of CWU as indicated by the constitution.

d. The term of office for faculty members will be three years with staggered terms. Faculty members may be appointed to serve ~~a three year term again after a one year period of non-membership~~ **for subsequent three-year terms**. Students may serve up to three years at the discretion of the ~~ASCWU board of directors~~ **Associated Students of Central Washington University Board of Directors (ASCWU BOD)**.

e. The board **of academic appeals** chair shall be elected by members ~~appointed yearly by the vice president for student affairs or his/her designee~~. The chair shall preside at all meetings and hearings before the board and be responsible for all business of the board.

f. Hearings before the board and judgments by the board will be conducted and rendered by the hearing panel made up of the board chair **or his/her designee**, ~~plus four members of the board to be selected two each by the parties to the grievance~~ **two faculty and two student members of the board**. ~~Should the chair so request, The board shall can elect a pro-tem chair from among the board members to act as a hearing panel chair. In the event that one or both parties to the grievance desires not to select members of the panel or fails to select members of the panel, the board chair will select members from the board as necessary. The student and instructor shall be notified about the content of the hearing panel five (5) working days before the hearing and may request a change in the panel within one (1) working day after that notification. The board chair shall decide if changes to the hearing panel are warranted and, if so, shall make those changes.~~

## 12. Administrative Affairs of the Board of Academic Appeals and Academic Standing

The vice president for student affairs ~~and enrollment management or the vice president's~~ **or his/her** designee, will be responsible for the administrative affairs of the board of academic appeals ~~and academic standing~~. The records of the board will be housed in the office of the vice president **for student affairs**. All requests for a formal hearing of academic grievances will be filed with the vice president for student affairs ~~and enrollment management~~ or **his/her** designee, and it will be the vice president's, **or his/her designee's** responsibility to advise students on the functioning of the board; to verify and insure that required procedures preliminary to, during, incidental to, and following formal hearings are adhered to; and to call the board into session ~~promptly until a board chair is elected~~. After a complaint has been filed and verified, **the vice president, or his/her designee, shall** ~~to~~ notify ~~promptly, in writing, at the request of the board chair~~, all parties to the complaint; to call for evidence ~~promptly, in writing, as requested by the parties~~ and to insure safekeeping of said evidence; to keep and maintain the records of board correspondence, transactions, hearings, decisions, etc., and ~~to~~ implement the decisions and directives for the board.

## 13. Advisors for the Parties

a. The vice president for student affairs ~~and enrollment management or the vice president's~~ **his/her** designee will appoint upon request advisors to both parties to assist them in filing and responding to a complaint.

b. The responsibilities of the advisors are exclusively as follows:

1. To ensure that all informal prerequisites as specified in Section V of rules governing the board of academic appeals ~~and academic standing~~ have been completed by the complaint;
2. To assist the individual **complainant** in properly completing or replying to the complaint form; **and**
3. To make recommendations concerning presentation of necessary information to the board of academic appeals ~~and academic standing~~ (i.e. Complaint form, letters of correspondence between parties, documents, witnesses, etc.).

#### 14. Enabling and Amending

Operation of the board of academic appeals and academic standing will commence upon final approval of the board of trustees of ~~CWU~~ **Central Washington University**. The structure and procedures of the board of academic appeals and academic standing may be amended by the faculty senate at any time with the approval of the board of trustees.

~~Revised 6/82; faculty senate approval 6/2/82; board of trustees approved 6/18/82~~

## **Exhibit B** (clean copy)

### **CWUP 5-90-010-03 Academic Appeal Procedures**

#### **Policy**

Students are responsible for achieving and maintaining the standards of academic performance and excellence which are established by their instructors and for complying with all relevant policies, standards, rules, and requirements which are formulated by the university and the university's academic units. At the same time, students may seek the redress of arbitrary or capricious actions by academic offices. No student shall be penalized or retaliated against in any way by the university community for his or her participation in this redress procedure.

#### **Purpose**

The purpose of the Board of Academic Appeals (Board) and Academic Standing Committee (ASC) is to provide for fair and impartial hearings of academic grievances. The Board serves as the final hearing body for the university in the matter of academic grievances. The Board may direct the university to change an academic decision affecting the student and specify the content of that change. The decision of the Board of Academic Appeals and Academic Standards Committee is final.

#### **Academic Grievances**

(A) Academic grievances are defined as the following:

1. A claim by the student that an assigned grade is the result of arbitrary or capricious application of otherwise valid standards of academic evaluation; or
2. A claim by the student that the standards for evaluation are arbitrary or capricious; or
3. A claim by the student that the instructor has taken an arbitrary or capricious action which adversely affects the student's academic progress; or
4. A claim by the student that a university department, program, or office has made a decision not in keeping with university policy or taken an arbitrary, capricious action which adversely affects the student's academic progress.

(B) A student wishing to pursue an academic grievance must use the procedures outlined in this document once having received notice of an action or decision which gives rise to a grievance. The emphasis of the procedure is on informal resolution of the grievance.

#### **4. Time Limit on Filing Complaint**

a. The students must ask for a hearing of the grievance before the board of academic appeals within one academic quarter after determination of the grade of the course in question, or within one quarter after completion of the incomplete work, or in cases involving administrative actions after the fact, such as removal of incompletes, etc., one academic quarter after the administrative deadline for completion of such actions (in the case of spring quarter, by the end of the following fall quarter). The board may suspend this rule in exceptional circumstances, such as, but not limited to, extended illness, sabbatical leave, etc., of one or both parties to the grievance.

b. When any party to the grievance chooses to not attend the scheduled hearing, the Board will conduct the hearing with the resources available to it and render a decision resolving the grievance.

## **Exhibit B**

## CWUP 5-90-010-03 Academic Appeal Procedures

### Policy

Students are responsible for achieving and maintaining the standards of academic performance and excellence which are established by their instructors and for complying with all relevant policies, standards, rules, and requirements which are formulated by the university and the university's academic units. At the same time, students **may seek the redress of** have protection, through orderly procedures, against arbitrary, or capricious actions or decisions by academic offices. No individual student shall be penalized or retaliated against in any way by the university community for his or her participation in this ~~complaint~~ **redress** procedure.

### Purpose

The purpose of the Board of Academic Appeals (**Board**) and Academic Standing **Committee (ASC)** is to **provide for fair and impartial hearings of academic grievances.** ~~The purpose of the board of academic appeals and academic standing is to provide for fair and impartial hearings of academic grievances.~~ The Board serves as the final hearing body for the university in the matter of academic grievances. **The Board may direct the university to change an academic decision affecting the student and specify the content of that change. The decision of the Board of Academic Appeals and Academic Standards Committee is final.**

### Academic Grievances

(A) Academic grievances are defined as the following:

1. A claim by the student that an assigned grade is the result of arbitrary, or capricious application of otherwise valid standards of academic evaluation; or
2. A claim by the student that the standards for evaluation are arbitrary, or capricious; or
3. A claim by the student that the instructor has taken an arbitrary, or capricious action which adversely affects the student's academic progress; or
4. A claim by the student that a university department, program, or office has made a decision not in keeping with university policy or taken an arbitrary, capricious, or discriminatory action which adversely affects the student's academic progress.

(B) A student wishing to pursue an academic grievance must ~~take the following steps to try to resolve the grievance prior to the filing of an official academic appeal~~ **use the procedures outlined in this document once having received notice of an action or decision which gives rise to a grievance. The emphasis of the procedure is on informal resolution of the grievance.**

- ~~1. The student shall first attempt to resolve the matter with the instructor.~~
- ~~2. If resolution is not achieved between the student and instructor, the student shall ask the department chair to resolve the grievance.~~
- ~~3. If resolution is not achieved at the department chair level, the chair shall forward a written summary to the dean of the college in a further effort to achieve resolution.~~
- ~~4. If resolution is not achieved at the dean's level, the student may petition for a hearing before the board of academic appeals and academic standing. (An appointment should be made to meet with the associate or assistant vice president for student affairs and enrollment management to obtain the necessary forms and information relative to filing the position.~~

(C) Rules Governing the Board of Academic Appeals and Academic Standing for Central Washington University

- ~~1. Policy—Students are responsible for achieving and maintaining the standards of academic performance and excellence which are established by their instructors and for complying with all relevant policies, standards, rules, and requirements which are formulated by the university and the university's academic units. At the same time, students have protection, through orderly procedures, against arbitrary or capricious actions or decisions~~

by academic offices. No individual shall be penalized or retaliated against in any way by the university community for his or her participation in this complaint procedure.

~~2. Purpose of the Board of Academic Appeals (and Academic Standing) – The purpose of the board of academic appeals and academic standing is to provide for fair and impartial hearings of academic grievances. The board serves as the final hearing body for the university in the matter of academic grievances.~~

~~3. Academic Grievance – Academic grievances are defined as the following:~~

- ~~a. A claim by the student that an assigned grade is the result of arbitrary and capricious application of otherwise valid standards of academic evaluation; or~~
- ~~b. A claim by the student that the standards for evaluation are arbitrary or capricious; or~~
- ~~c. A claim by the student that the instructor has taken an arbitrary or capricious action which adversely affects the student's academic progress; or~~
- ~~d. A claim by the student that a university department, program, or office has made a decision not in keeping with university policy or taken an arbitrary, capricious, or discriminatory action which adversely affects the student's academic progress.~~

~~A student wishing to pursue an academic grievance must use the procedure outlined in this document once having received notice of an action or decision which gives rise to a grievance. The emphasis of the procedure is on informal resolution of the grievance. Grievances which call for a hearing before the board of academic appeals and academic standing should be rare.~~

4. Time Limit on Filing Complaint

a. The students must ask for a hearing of the grievance before the board of academic appeals ~~and academic standing~~ within one academic quarter after determination of the grade of the course in question, or within one quarter after completion of the incomplete work, or in cases involving administrative actions after the fact, such as removal of incompletes, etc., one academic quarter after the administrative deadline for completion of such actions (in the case of spring quarter, by the end of the following fall quarter). The board may suspend this rule in exceptional circumstances, such as, but not limited to, extended illness, sabbatical leave, etc., of one or both parties to the grievance.

b. When ~~either~~ any party to the grievance is no longer in residence at the university and does not expect to return, the board will provide reasonable opportunity to complete appeal procedures or reply to the charges before making a decision. chooses to not attend the scheduled hearing, the Board will conduct the hearing with the resources available to it and render a decision resolving the grievance.

5. Procedures Preliminary to Petitioning the Board of Academic Appeals (and Academic Standing) for a Hearing (PAC approved 6/26/03)

a. The student will notify the Vice President for Student Affairs or his/her designee of their intention to petition the Board for an academic hearing. The student will be directed to meet with a faculty advisor appointed by the Vice President of Student Affairs or his/her designee within 10 working days.

~~b. A~~ The student with a grievance shall first attempt to resolve the matter grievance with the instructor. Within fifteen (15) working days of the contact by the student, the instructor and the student shall make a good faith effort to resolve the grievance. Should the instructor be on extended leave or no longer employed by the university, the department chair (or administrative superior administrator in cases not involving academic departments) shall act for the instructor. The board may suspend this rule in the case of exceptional circumstances, e.g., extended illness, sabbatical leaves, etc., of one or both parties to the grievance.

c. If resolution is not achieved between the student and instructor, the student ~~may~~ must ask the department chair or administrative superior to resolve the grievance. Within ~~ten (10)~~ fifteen (15) working days of the contact by the student, the department chair or administrative superior shall meet with both parties to clarify the grievance and attempt to resolve it. If the grievance is not resolved to the satisfaction of both parties,

**the department chair or administrative superior shall forward a written statement of his or her reasoning in the matter to the dean of the college and to the student within ten (10) working days of that attempted resolution.**

d. If a resolution is not achieved at the department chair level, the student ~~may~~ **must** present the grievance to the dean of the college **or administrative supervisor, if the student wishes to continue the grievance process.**

1. Within ~~ten (10)~~ **fifteen (15)** working days of contact by the student, the dean **or administrative supervisor** shall ~~hear the grievance~~ **investigate the grievance** and attempt to effect a mutually agreeable solution between instructor, or designee, and student. If such a solution cannot be reached, the dean shall weigh the facts and any evidence or testimony. The dean may request ~~or solicit~~ and make a recommendation **which states his/her reasoning in the matter** in writing to the student and instructor, or designee, within ~~five (5)~~ **ten (10)** working days of having concluded the hearing. **Within ten (10) working days,** both instructor, ~~or designee,~~ and student must, ~~in writing,~~ notify the dean of the college **or administrative supervisor in writing** of their acceptance or non-acceptance of the **dean's** recommendation ~~within five (5) working days of receipt of the dean's recommendation.~~

2. If the dean's recommendation is not acceptable to **both** the student **and the instructor,** the student may petition for a hearing of the grievance before the board of academic appeals ~~and academic standing.~~ The **student's** petition must be filed with the vice president for student affairs ~~and enrollment management~~ within ten (10) working days of receipt of the recommendation of the dean **or administrative supervisor.**

6. Procedures for Petitioning the Board of Academic Appeals ~~(and Academic Standing)~~ for a Hearing (PAC approved 6/26/03)

a. A grievance before the board is heard as if the matter has not been heard previously.

b. A student may withdraw the petition for a hearing at any time by notifying the board in writing **through the office of the vice president for student affairs.**

c. The parties to the grievance will be provided with a statement of the rules **governing the** of the board **of academic appeals** by the vice president for student affairs ~~and enrollment management.~~

d. The **office of the** vice president for student affairs ~~and enrollment management~~ will provide the student with appropriate forms for filing a complaint, assign an advisor to the student, and accept the completed forms from the student after the student has consulted with the advisor. ~~Since forms must be notarized, a list of notaries can be made available.~~

e. Within ~~five (5)~~ **ten (10)** working days of the filing of the complaint by the student's petition **(after the student's non-acceptance of the dean's recommendation), the office of the vice president for student affairs will** ~~the board chair will~~ provide the instructor with a copy of forms and materials prepared by the students and the name of an advisor **for the instructor.**

f. **Within fifteen (15) working days of their receiving the complaint,** the person against whom the complaint has been lodged must acknowledge, in writing, receipt of the complaint and within ten (10) working days, file with the board chair a reply to the complaint. **file a written response to the complaint with the board chair and the student through the office of the vice president for student affairs.**

g. When steps C **through** F above have been completed, ~~the board chair~~ **the office of the vice president for student affairs** shall arrange for a hearing panel, ~~place the case on the board calendar,~~ and notify the parties involved of the time and place for the hearing.

h. Other interested persons may, upon request of one of the parties to the grievance or upon the request of the hearing panel, submit in writing any observations or relevant information **to the instructor, student and hearing panel.**

~~h. When steps C-F above have been completed, the board chair shall arrange for a hearing panel, place the case on the board calendar, and notify the parties involved of the time and place for the hearing.~~

i. If, without prior notice, either party to the grievance does not appear at the scheduled hearing and does not present evidence that uncontrollable circumstances have prevented an appearance, it will be assumed that the party has nothing to add to the evidence already made available to the board.



## 7. Board Proceedings

a. The hearing is ~~shall be~~ closed to all but the members of the hearing panel, the student, the instructor, the student's advisor, the instructor's advisor, witnesses and a representative from the office of the vice president for student affairs. and the participants and their advisors in the hearing.

b. All records of the hearing proceedings will be maintained.

The records shall include:

1. all documents, motions, and intermediate rulings;
2. evidence received or considered;
3. a statement of matters officially noticed;
4. questions and offers of proof, objections, and rulings thereon;
5. proposed findings and exceptions; and
6. any decisions, opinion, or report by the board chair.

The record will be retained for a period of three years, ~~and~~ The material will be regarded as confidential. Oral proceedings will be recorded on audiotape. Copies of the record or any part thereof will be made available to the parties to the grievance by the records request process through the Business Services and Contracts office. The cost will be borne by the party making the request.

c. The board may:

1. administer oaths and affirmations, examine witnesses, and receive evidence;
2. ~~take or cause depositions to be taken;~~ require witnesses to appear upon the request of any party to the grievance or upon its own motion;
3. take or cause depositions to be taken;
4. regulate the course of the hearing;
5. hold conferences for the settlement or simplification of the issues with the consent of the parties;
6. dispose of procedural requests or similar matters;
7. make decisions or proposals for decisions; and
8. take any other action authorized by this policy.

~~d. The board may require witnesses to appear upon request of any party to the grievance or upon its own motion.~~

d. All testimony will be sworn.

e. Both parties to the grievance will have access to the written statements of the other, ~~prior the hearing or prior to any questioning by members of the board at the time of the hearing.~~ ten (10) working days prior to the hearing.

f. Both parties to the grievance have the right to advice from a third party of his or her choosing during the hearing of the grievance. Either party may ask for a recess.

g. Both parties to the grievance have the right to question the other party as well as any witness involved in the hearing. ~~The board chair will rule on such matters.~~

~~h. Both parties to the grievance have the right to advice from a third party of his or her choosing during the hearing of the grievance.~~

h. Members of the hearing panel may question both parties and witnesses. Questions must be germane to the issues of the grievance. The board chair will rule on such matters.

i. The hearing will be held in a physical space that is isolated acoustically from its surroundings and large enough to comfortably accommodate all participants to the hearing. The student and instructor shall be seated across from the hearing panel and separated by the advisors and representative of the office of the vice president for student affairs. The student and the instructor shall not face each other.

j. The vice president for student affairs, or his/her designee, shall facilitate the hearing, take responsibility for electronically recording the hearing, and oversee the various stipulations contained

in this document.

#### 8. Decision of the Board

- a. Decisions of the board are based on a majority vote of the hearing panel appointed for the hearing, and shall be based exclusively on the evidence and on matters officially noted.
- b. The decision and reasons for the decision will be reported in writing to both parties involved in the matter, to the officials who reviewed the appeal, and to appropriate authorities mentioned in the disposition of the decision. Minority opinions may be included in the report.
- c. Parties to the grievance will be notified in writing of the decision of the board no later than ~~one week~~ **five (5) working days** after conclusion of the hearing.

#### 9. Power of the Board of Academic Appeals ~~and Academic Standing~~

- a. The board may reject the grievance after due consideration.
- b. In cases involving grade changes or change in class status, the board may order a grade changed or a change in class status.
- c. In cases or aspects of cases determined by the board to involve procedural problems, the board may make recommendations for adjustments to any of the parties to the grievance and/or to the appropriate authority.
- d. In cases involving conduct, the board may take one or more of the following actions depending on the seriousness of the case as determined by the board:
  1. The board may issue a ~~restraining order~~ **no contact or no trespass order** to prevent continued or subsequent actions with respect to the specific situation in question.
  2. The board may reprimand one or more of the parties to the grievance and/or lodge the reprimand with the appropriate authority.
  3. The board may submit to the ~~authority governing the activities involved in the grievance a recommendation or request~~ **proper authority a recommendation** for disciplinary action for any party to the grievance in accordance with provisions of the ~~faculty code and/or code of student rights and responsibilities~~. **Central Washington University and United Faculty of Central Washington University Collective Bargaining Agreement and/or the Student Conduct Code (Chapter 106-120 WAC).**

#### 10. Procedures for Implementing Grade Changes and Withholding Suspension

- a. ~~In cases~~ **If** the board decides a grade should be changed, ~~the board chair~~ **the vice president for student affairs, or his/her designee**, will send to the registrar a copy of the decision authorizing and directing that the grade on the student's official record be changed. The student, the instructor, and ~~the board chair~~ **vice president for student affairs, or his/her designee**, will be notified by the registrar when the change has been accomplished.
- b. If the grade in question has resulted in the suspension of the student ~~the board chair~~ **vice president for student affairs, or his/her designee**, will notify the ~~board of academic appeals and academic standing~~ **registrar** to withhold suspension pending outcome of the hearing. If the board finds in favor of the student such that suspension is no longer a consideration, ~~the board chair~~ **vice president for student affairs, or his/her designee**, will notify the ~~board of academic appeals and academic standing~~ **registrar** in writing of the decision and the suspension will be withdrawn. If the board finds against the student, ~~the board chair~~ **vice president for student affairs, or his/her designee**, will notify the ~~board of academic appeals and academic standing~~ **registrar** accordingly in writing, and the student will be withdrawn from the university or be subject to such action as the ~~committee~~ **board** deems appropriate, and the student's fee will be returned according to university fee return policy.

#### 11. Membership of the Board of Academic Appeals ~~and Academic Standing~~

- a. The board shall be made up of fifteen **(15)** members, seven **(7)** ~~of whom shall be~~ faculty and eight **(8)** ~~of whom shall be~~ students.
- b. Faculty members of the board will be chosen by the faculty senate from among faculty who are not members of the university's administration. **The definition of "faculty member" will be that which is used in the**

## Central Washington University and United Faculty of Central Washington University Collective Bargaining Agreement.

c. Student members of the board will be chosen by the associated students of CWU **Central Washington University Board of Directors (ASCWU BOD)** from students who are not members of the ASCWU **BOD** board of directors. The definition of "student" will be that used in determining membership in the associated students of CWU as indicated by the constitution.

d. The term of office for faculty members will be three years with staggered terms. Faculty members may be appointed to serve ~~a three year term again after a one year period of non-membership~~ **for subsequent three-year terms**. Students may serve up to three years at the discretion of the ~~ASCWU board of directors~~ **Associated Students of Central Washington University Board of Directors (ASCWU BOD)**.

e. The board **of academic appeals** chair shall be ~~elected by members~~ **appointed yearly by the vice president for student affairs or his/her designee**. The chair shall preside at all meetings and hearings before the board and be responsible for all business of the board.

f. Hearings before the board and judgments by the board will be conducted and rendered by the hearing panel made up of the board chair **or his/her designee**, plus ~~four members of the board to be selected two each by the parties to the grievance~~ **two faculty and two student members of the board**. ~~Should the chair so request, The board shall can elect a pro-tem chair from among the board members to act as a hearing panel chair. In the event that one or both parties to the grievance desires not to select members of the panel or fails to select members of the panel, the board chair will select members from the board as necessary. The student and instructor shall be notified about the content of the hearing panel five (5) working days before the hearing and may request a change in the panel within one (1) working day after that notification. The board chair shall decide if changes to the hearing panel are warranted and, if so, shall make those changes.~~

### 12. Administrative Affairs of the Board of Academic Appeals ~~and Academic Standing~~

The vice president for student affairs ~~and enrollment management or the vice president's~~ **or his/her** designee, will be responsible for the administrative affairs of the board of academic appeals ~~and academic standing~~. The records of the board will be housed in the office of the vice president **for student affairs**. All requests for a formal hearing of academic grievances will be filed with the vice president for student affairs ~~and enrollment management or his/her~~ designee, and it will be the vice president's, **or his/her designee's** responsibility to advise students on the functioning of the board; to verify and insure that required procedures preliminary to, during, incidental to, and following formal hearings are adhered to; and to call the board into session ~~promptly until a board chair is elected~~. After a complaint has been filed and verified, **the vice president, or his/her designee, shall** ~~to~~ notify promptly, in writing, at the request of the board chair, all parties to the complaint; to call for evidence promptly, in writing, as requested by the parties and to insure safekeeping of said evidence; to keep and maintain the records of board correspondence, transactions, hearings, decisions, etc., and ~~to~~ implement the decisions and directives for the board.

### 13. Advisors for the Parties

a. The vice president for student affairs ~~and enrollment management or the vice president's~~ **his/her** designee will appoint upon request advisors to both parties to assist them in filing and responding to a complaint.

b. The responsibilities of the advisors are exclusively as follows:

1. To ensure that all informal prerequisites as specified in Section V of rules governing the board of academic appeals ~~and academic standing~~ have been completed by the complaint;
2. To assist the individual **complainant** in properly completing or replying to the complaint form; **and**
3. To make recommendations concerning presentation of necessary information to the board of academic appeals ~~and academic standing~~ (i.e. Complaint form, letters of correspondence between parties, documents, witnesses, etc.).

### 14. Enabling and Amending

Operation of the board of academic appeals and academic standing will commence upon final approval of the board of trustees of ~~CWU~~ **Central Washington University**. The structure and procedures of the board of academic appeals and academic standing may be amended by the faculty senate at any time with the approval of the board of trustees.

~~Revised 6/82; faculty senate approval 6/2/82; board of trustees approved 6/18/82~~

#### 6. Procedures for Petitioning the Board of Academic Appeals for a Hearing (PAC approved 6/26/03)

- a. A grievance before the board is heard as if the matter has not been heard previously.
- b. A student may withdraw the petition for a hearing at any time by notifying the board in writing through the office of the vice president for student affairs.
- c. The parties to the grievance will be provided with the rules governing the board of academic appeals by the vice president for student affairs.
- d. The office of the vice president for student affairs will provide the student with appropriate forms for filing a complaint, assign an advisor to the student, and accept the completed forms from the student after the student has consulted with the advisor.
- e. Within ten (10) working days of the filing of the student's petition (after the student's non-acceptance of the dean's recommendation), the office of the vice president for student affairs will provide the instructor with a copy of forms and materials prepared by the students and the name of an advisor for the instructor.
- f. Within fifteen (15) working days of their receiving the complaint, the person against whom the complaint has been lodged must file a written response to the complaint with the board chair and the student through the office of the vice president for student affairs.
- g. When steps C through F above have been completed, the office of the vice president for student affairs shall arrange for a hearing panel, and notify the parties involved of the time and place for the hearing.
- h. Other interested persons may, upon request of one of the parties to the grievance or upon the request of the hearing panel, submit in writing any observations or relevant information to the instructor, student and hearing panel.
- i. If, without prior notice, either party to the grievance does not appear at the scheduled hearing and does not present evidence that uncontrollable circumstances have prevented an appearance, it will be assumed that the party has nothing to add to the evidence already made available to the board.

#### 7. Board Proceedings

- a. The hearing ~~is~~ shall be closed to all but the members of the hearing panel, the student, the instructor, the student's advisor, the instructor's advisor, witnesses and a representative from the office of the vice president for student affairs.
- b. All records of the hearing proceedings will be maintained.

The record will be retained for a period of three years. The material will be regarded as confidential. Copies of the record or any part thereof will be made available to the parties to the grievance by the records request process through the Business Services and Contracts office. The cost will be borne by the party making the request.

- c. The board may:
  1. administer oaths and affirmations, examine witnesses, and receive evidence;
  2. require witnesses to appear upon the request of any party to the grievance or upon its own motion;
  3. take or cause depositions to be taken;
  4. regulate the course of the hearing;
  5. hold conferences for the settlement or simplification of the issues with the consent of the parties;
  6. dispose of procedural requests or similar matters;
  7. make decisions or proposals for decisions; and
  8. take any other action authorized by this policy.

d. All testimony will be sworn.

e. Both parties to the grievance will have access to the written statements of the other ten (10) working days prior to the hearing.

f. Both parties to the grievance have the right to advice from a third party of his or her choosing during the hearing of the grievance. Either party may ask for a recess.

g. Both parties to the grievance have the right to question the other party as well as any witness involved in the hearing.

h. Members of the hearing panel may question both parties and witnesses. Questions must be germane to the issues of the grievance. The board chair will rule on such matters.

i. The hearing will be held in a physical space that is isolated acoustically from its surroundings and large enough to comfortably accommodate all participants to the hearing. The student and instructor shall be seated across from the hearing panel and separated by the advisors and representative of the office of the vice president for student affairs. The student and the instructor shall not face each other.

j. The vice president for student affairs, or his/her designee, shall facilitate the hearing, take responsibility for electronically recording the hearing, and oversee the various stipulations contained in this document.

#### 8. Decision of the Board

a. Decisions of the board are based on a majority vote of the hearing panel appointed for the hearing, and shall be based exclusively on the evidence and on matters officially noted.

b. The decision and reasons for the decision will be reported in writing to both parties involved in the matter, to the officials who reviewed the appeal, and to appropriate authorities mentioned in the disposition of the decision. Minority opinions may be included in the report.

c. Parties to the grievance will be notified in writing of the decision of the board no later than five (5) working days after conclusion of the hearing.

#### 9. Power of the Board of Academic Appeals

a. The board may reject the grievance after due consideration.

b. In cases involving grade changes or change in class status, the board may order a grade changed or a change in class status.

c. In cases or aspects of cases determined by the board to involve procedural problems, the board may make recommendations for adjustments to any of the parties to the grievance and/or to the appropriate authority.

d. In cases involving conduct, the board may take one or more of the following actions depending on the seriousness of the case as determined by the board:

1. The board may issue a no contact or no trespass order to prevent continued or subsequent actions with respect to the specific situation in question.

2. The board may reprimand one or more of the parties to the grievance and/or lodge the reprimand with the appropriate authority.

3. The board may submit to the proper authority a recommendation for disciplinary action for any party to the grievance in accordance with provisions of the Central Washington University and United Faculty of Central Washington University Collective Bargaining Agreement and/or the Student Conduct Code (Chapter 106-120 WAC).

#### 10. Procedures for Implementing Grade Changes and Withholding Suspension

a. If the board decides a grade should be changed, the vice president for student affairs, or his/her designee, will send to the registrar a copy of the decision authorizing and directing that the grade on the student's official record be changed. The student, the instructor, and the vice president for student affairs, or his/her designee,

will be notified by the registrar when the change has been accomplished.

b. If the grade in question has resulted in the suspension of the student the vice president for student affairs, or his/her designee, will notify the registrar to withhold suspension pending outcome of the hearing. If the board finds in favor of the student such that suspension is no longer a consideration, the vice president for student affairs, or his/her designee, will notify the registrar in writing of the decision and the suspension will be withdrawn. If the board finds against the student, the vice president for student affairs, or his/her designee, will notify the registrar accordingly in writing, and the student will be withdrawn from the university or be subject to such action as the board deems appropriate, and the student's fee will be returned according to university fee return policy.

#### 11. Membership of the Board of Academic Appeals

a. The board shall be made up of fifteen (15) members, seven (7) faculty and eight (8) students.

b. Faculty members of the board will be chosen by the faculty senate from among faculty who are not members of the university's administration. The definition of "faculty member" will be that which is used in the Central Washington University and United Faculty of Central Washington University Collective Bargaining Agreement.

c. Student members of the board will be chosen by the associated students of Central Washington University Board of Directors (ASCWU BOD) from students who are not members of the ASCWU BOD. The definition of "student" will be used in determining membership in the associated students of CWU as indicated by the constitution.

d. The term of office for faculty members will be three years with staggered terms. Faculty members may be appointed to serve for subsequent three-year terms. Students may serve up to three years at the discretion of the Associated Students of Central Washington University Board of Directors (ASCWU BOD).

e. The board of academic appeals chair shall be appointed yearly by the vice president for student affairs or his/her designee. The chair shall preside at all meetings and hearings before the board and be responsible for all business of the board.

f. Hearings before the board and judgments by the board will be conducted and rendered by the hearing panel made up of the board chair or his/her designee, plus two faculty and two student members of the board. The board can elect a pro-tem chair from among the board members to act as a hearing panel chair. The student and instructor shall be notified about the content of the hearing panel five (5) working days before the hearing and may request a change in the panel within one (1) working day after that notification. The board chair shall decide if changes to the hearing panel are warranted and, if so, shall make those changes.

#### 12. Administrative Affairs of the Board of Academic Appeals

The vice president for student affairs or his/her designee, will be responsible for the administrative affairs of the board of academic appeals. The records of the board will be housed in the office of the vice president for student affairs. All requests for a formal hearing of academic grievances will be filed with the vice president for student affairs or his/her designee, and it will be the vice president's, or his/her designee's responsibility to advise students on the functioning of the board; to verify and insure that required procedures preliminary to, during, incidental to, and following formal hearings are adhered to; and to call the board into session. After a complaint has been filed and verified, the vice president, or his/her designee, shall notify all parties to the complaint; to call for evidence and to insure safekeeping of said evidence; keep and maintain the records of board correspondence, transactions, hearings, decisions, etc., and to implement the decisions and directives for the board.

#### 13. Advisors for the Parties

a. The vice president for student affairs or his/her designee will appoint upon request advisors to both parties to assist them in filing and responding to a complaint.

b. The responsibilities of the advisors are exclusively as follows:

1. To ensure that all informal prerequisites as specified in Section V of rules governing the board of academic appeals ~~and~~ have been completed by the complainant;
2. To assist the complainant in properly completing or replying to the complaint form; and
3. To make recommendations concerning presentation of necessary information to the board of academic appeals (i.e. Complaint form, letters of correspondence between parties, documents, witnesses, etc.).

#### 14. Enabling and Amending

Operation of the board of academic appeals will commence upon final approval of the board of trustees of Central Washington University. The structure and procedures of the board of academic appeals may be amended by the faculty senate at any time with the approval of the board of trustees.

# Exhibit C

## Section I: FACULTY RIGHTS AND RESPONSIBILITIES

### A. Faculty Rights

All faculty members have the right to:

1. participate in faculty and university governance by means of activities on departmental, college, university, and Faculty Senate committees and through a system of elected faculty representatives;
2. be treated fairly and equitably and have protection against illegal and unconstitutional discrimination by the institution;
3. academic freedom as set forth in the 1940 *Statement of Principles on Academic Freedom and Tenure*, American Association of University Professors (AAUP) and Association of American Colleges, now the Association of American Colleges and Universities (AAC), with 1970 *Interpretive Comments* (AAUP), and the Collective Bargaining Agreement (~~Appendices A & B~~);
4. access their official files, in accordance with the CBA.

### B. Faculty Responsibilities

#### 1. Principal Areas of Collective Faculty Responsibility

Collectively the faculty has principal responsibility for academic policies and academic standards for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status (as defined in the CBA), and those aspects of student life which relate to the educational process. Principal responsibility means that faculty, through the Faculty Senate and its committees, make decisions in consultation with the provost/senior vice president for academic affairs, deans, and other administrators, subject to the approval of the president and the Board of Trustees. These areas include:

- a) curriculum, including program revision, criteria for addition and deletion of courses, and standards for granting degrees;
- b) subject matter and methods of instruction, including educational policies, assessment of student learning, and grading standards;
- c) governance of the General Education Program at the university;
- d) scholarship including research and creative activity, freedom of scholarly inquiry, and standards for evaluation of faculty scholarship;
- e) implementation of CBA processes, including development of substantive content regarding faculty status, including faculty ethics, peer review in hiring, tenure, promotion, post-tenure review, and merit;
- f) those aspects of student life that relate to the academic experience, including student academic ethics and academic co-curricular policies;
- g) criteria for admissions to undergraduate majors;
- h) criteria for admission to graduate programs and selection of graduate students;
- i) participation in accreditation and assessment.

#### 2. Areas Meriting Significant Faculty Consultation

Because all aspects of the university are interconnected, consultation with faculty is essential in areas that significantly affect the academic character and quality of the university. Consultation occurs through substantive discussions between administrators and appropriate faculty bodies as specified in this document and as required by the collective bargaining process.

The more directly decisions affect the academic character and quality of the university, the more extensive the consultation with faculty should be. For example, when planning involves institutional academic priorities, such as the development and elimination of academic programs or the organization of academic structures and units, consultation with the faculty is especially important. Ideally, decisions will reflect consensus between the administrative leadership and the appropriate bodies of the faculty.

Areas for faculty consultation include, but are not limited to:

- a) university and college mission;
- b) realignment of academic divisions;
- c) undergraduate and graduate admissions, enrollment management, and scholarships;



- d) budget;
- e) hiring and evaluation of academic administrators;
- f) recommendation of candidates for honorary degrees;
- g) academic facilities, including instructional technologies;
- h) aspects of student life that affect academic climate and quality;
- i) policies related to academic calendars.

3. Areas of Individual Faculty Responsibility

In addition to the collective responsibilities listed above, each faculty member has the responsibility to:

- a) fulfill assigned teaching duties, student advising, and other instructional activities benefiting students' academic development;
- b) follow policies and guidelines derived from those policies by the university, college, and department;
- c) perform professional activity for continual updating of course content to reflect current development in the faculty member's academic field;
- d) uphold standards of professional ethics outlined in AAUP Statement on Professional Ethics and the Collective Bargaining Agreement (Appendix G-A incorporated by reference);
- e) participate, where appropriate, in the operation and governance of the department, college, and university by such means as to:
  - (1) assist in the planning, delivery, assessment, improvement, and development of the academic curriculum in the disciplines housed in the department;
  - (2) participate in accreditation and program reviews;
  - (3) assist in student recruitment and retention;
  - (4) participate in the academic appeals procedure in accordance with guidelines established in Academic Affairs policy;
  - (5) participate in the recruitment and selection of faculty, staff, and administrators;
  - (6) participate with administrators in matters of faculty status such as reappointment, tenure, and promotions, per the terms of the CBA;
  - (7) participate in the assessment and evaluation of students, faculty, staff, and academic administrators;
  - (8) participate in university and Faculty Senate committees;
  - (9) work collaboratively and productively with colleagues.

## Exhibit D

### Section III. DISTINGUISHED FACULTY AWARDS

The Distinguished Faculty Awards are the highest awards attainable at the University and must represent the highest level of performance. The awards are overseen by the Central Washington University Faculty Senate (Appendix B is incorporated by reference). There are no honorable mention awards.

#### A. Distinguished Professor Awards

Faculty Senate confers three unique awards annually to recognize outstanding distinguished professors in the following areas:

1. Distinguished Professor – Teaching
  - a. Teaching excellence shall be defined as:
    - i. A demonstrated breadth and depth of knowledge;
    - ii. Clarity in methodology and organization of materials, and effective methods of presentation;
    - iii. Continued scholarship and its integration into course work;
    - iv. Assistance to students in understanding the value and relevance of the subject matter and course materials, both within the discipline and in a broader context.
2. Distinguished Professor – Service
  - a. Service shall be defined as voluntary endeavors contributing to the welfare of individuals, professional organizations, university groups, the community at large, or the university.
3. Distinguished Professor – Research/Artistic Accomplishment
  - a. Research shall be defined as scholarly or scientific investigation or inquiry, conducted for the purpose of obtaining new data to advance the state of knowledge of the discipline.
  - b. Artistic accomplishment shall be defined as the composition, creation, production or other significant and/or innovative contribution to an artistic event. Artistic accomplishment may include, but is not limited to, innovation in music, drama, film, art, dance, poetry or fiction that is a significant contribution to our understanding of the range of human experience and capabilities.

#### B. Non-Tenure Track Distinguished Faculty Award

- a. Non-Tenure track Faculty Distinguished Teaching Award
  - i. Teaching excellence shall be determined by:
    1. A demonstrated breadth and depth of knowledge;
    2. Clarity in method and organization of materials, and effective methods of presentation;
    3. Continued engagement with the scholarly profession and integration of scholarship – with one's own or that of others - into course work;
    4. Assistance to students in understanding the value and relevance of the subject matter and course materials, both within the discipline and in a broader context.

## Appendix B

### Central Washington University *Distinguished Faculty Awards*

- I. Funding for the awards (\$2,500 for each category) is generously provided by the Office of the President.
- II. Award recipients are expected to serve on future screening committees at some time during their careers.

#### III. Initial Requirements

##### A. Due Dates

1. Letters of nomination are due in the office of the Faculty Senate by December 1 or, if this date falls on a weekend, the first school day thereafter. All letters of nomination must be originals (fax and e-mail versions will not be considered).
2. All material supporting the nomination (i.e., nominees' notebooks) must be received in the office of the Faculty Senate by February 1 or, if this date falls on a weekend, the first school day thereafter.

#### B. Nominations and Supporting Materials

1. Nominations may be made by faculty, students, alumni or others in a position to evaluate the effectiveness of a faculty member in any of the three tenure-track/tenured award categories (Teaching, Service, Research/Artistic Accomplishment) or the non-tenure track award (Teaching). Self-nominations will not be accepted. Nomination letters and supporting materials must be submitted to the Faculty Senate in accordance with Section III.A.
2. Nominations are presented by a Nominator. The Nominator writes the letter of nomination, providing a full description of the nominee's work that is deserving of the respective award; a short statement of nomination will not be sufficient. The Nominator shall also help the nominee to compile and order a notebook for the screening committee to substantiate the nomination, incorporating materials required and/or suggested in the accompanying criteria. No materials may be added to the notebook after the due date.
3. The screening committee is not an investigative body. Therefore, it is imperative that supportive material be complete, orderly and self-explanatory.
4. Nominators may not nominate more than one faculty to share the same award.
5. An individual may receive an award in more than one category, although not in the same year. An individual may not receive an individual award more than once.
6. A nominee may be renominated.
7. Material of award recipients will be retained for three years in the office of the Faculty Senate.
8. Awards are announced by the Provost and approved by the Board of Trustees. Awards will be officially presented at the Spring Honors Convocation. Neither nominees nor nominators should attempt to contact the committee, the Faculty Senate office, or the Provost's Office about the progress or outcome of the committee's deliberations. No information will be given out.
9. After reviewing submitted materials, the committee, at its discretion, may elect not to recommend recipients of one or more awards in a given year.

#### IV. Screening Committee

- A. Members of the screening committee are chosen by the Faculty Senate Executive Committee.
- B. Committee membership shall be confidential. Committee membership is finalized by early February at the latest.
- C. The committee shall include six members. Five will be drawn from the ranks of those who have received Distinguished Faculty Awards, representing all colleges of the university, including one non-tenure track faculty, if possible. The sixth member will be an alumnus representative selected by Alumni Relations.
- D. Emeritus Distinguished Professors/Faculty are eligible to serve.
- E. Nominees will be considered for Distinguished Faculty Awards based on excellence of work and activities conducted solely while at CWU.
- F. The screening committee makes the award choices, and sends the recommendations and supporting letters to the Provost.

#### V. Distinguished Professor Awards

##### A. Eligibility

1. Distinguished Professor Awards are limited to regular full-time tenured/tenure-track CWU faculty who have been at CWU a minimum of six years (18 academic quarters exclusive of summers).
2. Regular faculty who also serve in administration, but continue to teach a minimum of 5 credits per quarter, are eligible.

B. The Distinguished Professor of Teaching nominee's notebook should contain the following items, organized in the following order:

- a. Letter of nomination bearing the date stamp of the Faculty Senate office verifying submission by December 1.
- b. Vitae of nominee, verifying that the nominee is a full-time member of the CWU faculty and has a minimum of six years full-time service at CWU. The vitae must bear the date stamp of the Faculty Senate office verifying submission of the notebook by February 1.
- c. Personal statement by nominee of philosophy, goals, and achievements in the area of teaching. This statement must not exceed 1000 words.
- d. Evidence of teaching skills in the area of communication and methodology - exemplified in the clarity of organization and presentation of course materials, and of the challenge to and motivation of students - corroborated by:
  - i. Letters of recommendation, support or corroboration from colleagues, associates, students or relevant others (20 maximum).
  - ii. A portfolio reflecting the full range of the nominee's teaching assignment, containing summary sheets for student evaluations of instruction for all courses, arranged chronologically, taught during the last five years, including all available written comments.
  - iii. Representative class syllabi.
  - iv. If a video recording is included in the file, please limit the length to 15 minutes.
- e. Evidence of teaching that has been informed by scholarship, as demonstrated by:
  1. participation in professional activities such as conferences, symposia, colloquia, exhibitions;
  2. membership in professional associations;
  3. peer reviewed scholarship or juried presentation;
  4. continuing education in one's field or related fields;
  5. efforts in the development of new courses to broaden and update the university curriculum or other relevant evidence of continued scholarship.
- f. Evidence of the extent of participation in student advisement.

C. The Distinguished Professor of Service nominee's notebook should contain the following items organized in the following order:

1. Letter of nomination bearing the date stamp of the Faculty Senate office verifying submission by December 1.
2. Vitae of nominee, verifying that the nominee is a full-time member of the CWU faculty and has a minimum of six years full-time service at CWU. The vitae must bear the date stamp of the Faculty Senate office verifying submission of the notebook by February 1.
3. Personal statement by nominee of philosophy, goals and achievements in the area of service. This statement must not exceed 1000 words.
4. Evidence of service as exemplified by activities in which the nominee has applied his/her academic expertise to the welfare of individuals, professional organizations, university groups, the community at large, or the university, with evidence of the magnitude of effort and level of commitment to the community in the service provided, all corroborated by:
  - a. Letters of recommendation, support or corroboration from colleagues, associates, students, members of the community, or relevant others. [20 maximum]
  - b. Public acknowledgement, such as, newspaper clippings, testimonials, awards, etc.
  - c. Chronological listing or concise summary of the nominee's service, indicating the recipient group and/or geographical area benefited by the service.

D. The Distinguished Professor of Research/Artistic Accomplishment nominee's notebook should contain the following items organized in the following order.

1. Letter of nomination bearing the date stamp of the Faculty Senate office verifying submission by December 1.
2. Vitae of nominee. The vitae should verify that the nominee is a full-time member of the CWU faculty and has a minimum of six years full-time service at CWU. The vitae must bear the date stamp of the Faculty Senate office verifying submission of notebook by February 1.

3. Personal statement by nominee of philosophy, goals and achievements in the area of research or artistic achievement and invention. This statement must not exceed 1000 words.
4. Evidence of research or artistic achievement, corroborated by:
  - a. Letters of recommendation, support or corroboration from colleagues, associates, students or relevant others emphasizing professional recognition, quality and credibility of research or artistic achievement. [20 maximum]
  - b. Artistic Accomplishment - Reviews, newspaper clippings, programs, reports, awards, acknowledgments, grants funded, etc.
  - c. Research - Reprints of publications and a chronological list of research projects, publications, reports, performances, presentations, program participation, etc.; or a summary of a single research program for which nomination has been made.

#### VI. Non-Tenure Track Distinguished Faculty Award

##### A. Eligibility

This award is limited to Non-Tenure Track CWU faculty employed by the university during the time of their consideration, and who have a minimum of six (6) years teaching at least one-half of a FTEF on an annualized basis in a Lecturer or Senior Lecturer capacity at the University.

##### B. The nominee's notebook should contain the following items organized in the following order:

1. Letter of nomination bearing the date stamp of the Faculty Senate office verifying submission by December 1.
2. Vitae of nominee, verifying that the nominee is currently employed as a NTT faculty member at CWU. The vitae must bear the date stamp of the Faculty Senate office verifying submission of the notebook by February 1.
3. Personal statement by nominee of philosophy, goals and achievements in the area of teaching, including addressing the areas outlined in the introduction above. This statement must not exceed 1000 words.
4. Evidence of teaching excellence, as described above, corroborated by:
  - a. Letters of recommendation, support or corroboration from colleagues, associates, students or relevant others (20 maximum).
  - b. A portfolio reflecting the full range of the nominee's teaching assignment, containing summary sheets for student evaluations of instruction for all courses, arranged chronologically, taught during the last five years, including all available written comments.
  - c. Representative class syllabi.
  - d. If a video recording is included in the file, please limit the length to 15 minutes.
  - e. Evidence of teaching that has been informed by scholarship as demonstrated by:
    1. incorporation of one's own or others' research in curriculum development;
    2. incorporation of technology in the classroom
    3. activity in professional organizations and/or writing for publication.

## Exhibit E

### Section III, B, 3.

#### B. Non-Tenure Track Distinguished Faculty Award

##### b. Non-Tenure track Faculty Distinguished Teaching Award

##### i. Teaching excellence shall be determined by:

1. A demonstrated breadth and depth of knowledge;
2. Clarity in method and organization of materials, and effective methods of presentation;
3. Continued engagement with the scholarly profession and integration of scholarship into with course work;
4. Assistance to students in understanding the value and relevance of the subject matter and course materials, both within the discipline and in a broader context.

### Section VI, B, 4.

#### B. The nominee's notebook should contain the following items organized in the following order:

5. Letter of nomination bearing the date stamp of the Faculty Senate office verifying submission by December 1.
6. Vitae of nominee, verifying that the nominee is currently employed as a NTT faculty member at CWU. The vitae must bear the date stamp of the Faculty Senate office verifying submission of the notebook by February 1.
7. Personal statement by nominee of philosophy, goals and achievements in the area of teaching, including addressing the areas outlined in the introduction above. This statement must not exceed 1000 words.
8. Evidence of teaching excellence, as described above, corroborated by:
  - a. Letters of recommendation, support or corroboration from colleagues, associates, students or relevant others (20 maximum).
  - b. A portfolio reflecting the full range of the nominee's teaching assignment, containing summary sheets for student evaluations of instruction for all courses, arranged chronologically, taught during the last five years, including all available written comments.
  - c. Representative class syllabi.
  - d. If a video recording is included in the file, please limit the length to 15 minutes.
  - e. Evidence of teaching that has been informed by scholarship as demonstrated by:
    1. incorporation of others' research in curriculum development;
    2. incorporation of technology in the classroom;
    3. activity in professional organizations and/or writing for publication.